

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAWN MARIE BALL,	:	Civil No. 1:12-CV-11
Plaintiff	:	
	:	(Chief Judge Kane)
v.	:	
	:	(Magistrate Judge Carlson)
SUPT. GIROUX, et al.,	:	
Defendants	:	

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Plaintiff Dawn Marie Ball filed suit against two prison officials alleging that those officials violated her constitutional rights by videotaping her with a handheld video camera when she was removed from her prison cell. (Doc. No. 1.) On January 11, 2012, Magistrate Judge Martin Carlson issued a Report and Recommendation in which he recommends that the Court grant Plaintiff leave to proceed in forma pauperis and dismiss her complaint for failure to state a claim. (Doc. No. 7.) In the Report and Recommendation, Magistrate Judge Carlson correctly notes that it has become routine for prison officials in Restricted Housing Units to videotape the interactions of prison officials with inmates. Such videotaping serves to protect both the officials from frivolous litigation and inmates from misconduct by prison officials. Further, as noted by Magistrate Judge Carlson, it is well documented that a prisoner's expectation of privacy must yield to the needs of institutional security and order in the context of cell extractions and the movement of inmates within the prison. Because the complaint rests on a legally flawed theory, Magistrate Judge Carlson recommended that it be dismissed without granting leave to amend. Plaintiff's objections to the Report and Recommendation continue to advance the mistaken theory that she is entitled to dictate the manner in which prison officials document her

movements outside of her prison cell and do not call into question any of the recommendations made by Magistrate Judge Carlson.

ACCORDINGLY, on this 6th day of March 2012, **IT IS HEREBY ORDERED THAT**, upon a de novo review, the Report and Recommendation (Doc. No. 7) is **ADOPTED** in its entirety. Plaintiff's motion for in forma pauperis status (Doc. No. 2) is **GRANTED** and Plaintiff's complaint is **DISMISSED WITH PREJUDICE**. The clerk of court is directed to close the case.

S/ Yvette Kane
Yvette Kane, Chief Judge
United States District Court
Middle District of Pennsylvania